

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RAYE THERESA ZAMMIT,
Plaintiff(s),

v.

RICHARD SOLOMONS, et al.,
Defendant(s).

Case No. 2:21-cv-00738-JAD-NJK

Report and Recommendation

TANYA RENEE ROBERSON,
Plaintiff(s),

v.

FRANK GIUNTA,
Defendant(s).

Case No. 2:21-cv-00740-JAD-NJK

Report and Recommendation

AARON JOHN DEVRIES, et al.,
Plaintiff(s),

v.

JASON MIKKELSEN,
Defendant(s).

Case No. 2:21-cv-00741-JAD-NJK

Report and Recommendation

ALESA LYN HART,
Plaintiff(s),

v.

DAVID SIMON, et al.,
Defendant(s).

Case No. 2:21-cv-00742-JAD-NJK

Report and Recommendation

1	BAHAELDEEN JACKNOON,	Case No. 2:21-cv-00743-JAD-NJK
2	Plaintiff(s),	Report and Recommendation
3	v.	
4	FLORENCE J. ARM,	
5	Defendant(s).	
6	ALESY LYN HART,	Case No. 2:21-cv-00744-JAD-NJK
7	Plaintiff(s),	Report and Recommendation
8	v.	
9	PELICAN PLAZA MANAGEMENT	
10	COMPANY, LLC, et al.,	
11	Defendant(s).	
12	BARBARA J. STRUTHERS,	Case No. 2:21-cv-00745-JAD-NJK
13	Plaintiff(s),	Report and Recommendation
14	v.	
15	MORTON SCHAPIRO, et al.,	
16	Defendant(s).	
17	ALESY LYN HART,	Case No. 2:21-cv-00746-JAD-NJK
18	Plaintiff(s),	Report and Recommendation
19	v.	
20	NATHAN BENDERSON,	
21	Defendant(s).	
22	BECKY BARNES-BOERS,	Case No. 2:21-cv-00747-JAD-NJK
23	Plaintiff(s),	Report and Recommendation
24	v.	
25	FIRST STREET SCHOOL, et al.,	
26	Defendant(s).	
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1 2 3 4 5	ALESA LYNN HART, Plaintiff(s), v. STEPHEN F. LOVELL, Defendant(s).	Case No. 2:21-cv-00748-JAD-NJK Report and Recommendation
6 7 8 9 10	BETTY J. BENNING, Plaintiff(s), v. GARY C. MOHR, et al., Defendant(s).	Case No. 2:21-cv-00749-JAD-NJK Report and Recommendation
11 12 13 14 15	ALESA LYN HART, Plaintiff(s), v. MARY DILLON, et al., Defendant(s).	Case No. 2:21-cv-00750-JAD-NJK Report and Recommendation
16 17 18 19 20 21	ELEANOR CLAIRE D'AMICO, Plaintiff(s), v. RITE AID STORE #10640, MANAGER, et al., Defendant(s).	Case No. 2:21-cv-00751-JAD-NJK Report and Recommendation
22 23 24 25 26 27 28	ALESA LYN HART, Plaintiff(s), v. ARNE SORENSON, et al., Defendant(s).	Case No. 2:21-cv-00752-JAD-NJK Report and Recommendation

1	ELEANOR CLAIRE D'AMICO,	Case No. 2:21-cv-00753-JAD-NJK
2	Plaintiff(s),	Report and Recommendation
3	v.	
4	MACY'S GENERAL MANAGER, et al.,	
5	Defendant(s).	
6	TENNILLE IRENE HOUSTON,	Case No. 2:21-cv-00754-JAD-NJK
7	Plaintiff(s),	Report and Recommendation
8	v.	
9	BRIAN BEAN, et al.,	
10	Defendant(s).	
11	AMORINE LEWIS,	Case No. 2:21-cv-00755-JAD-NJK
12	Plaintiff(s),	Report and Recommendation
13	v.	
14	ROSSMORE PARK HOA PRESIDENT, et	
15	al.,	
16	Defendant(s).	
17	ELEANOR CLARE D'AMICO,	Case No. 2:21-cv-00756-JAD-NJK
18	Plaintiff(s),	Report and Recommendation
19	v.	
20	U.S. POST OFFICE, MANAGER, et al.,	
21	Defendant(s).	
22	TERESA ANN MCCONNELL,	Case No. 2:21-cv-00757-JAD-NJK
23	Plaintiff(s),	Report and Recommendation
24	v.	
25	TERESA PARKHURST,	
26	Defendant(s).	
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1 2 3 4 5	ELEANOR CLAIRE D'AMICO, Plaintiff(s), v. BED, BATH & BEYOND, et al., Defendant(s).	Case No. 2:21-cv-00758-JAD-NJK Report and Recommendation
6 7 8 9 10	TERRI JAYNE READ, Plaintiff(s), v. HOLIDAY INN CLUB VACATIONS, et al., Defendant(s).	Case No. 2:21-cv-00759-JAD-NJK Report and Recommendation
11 12 13 14 15	ELEANOR CLAIRE D'AMICO, Plaintiff(s), v. HUNTINGTON HOSPITAL, et al., Defendant(s).	Case No. 2:21-cv-00760-JAD-NJK Report and Recommendation
16 17 18 19 20	AMY DEANNA HOOD, Plaintiff(s), v. JOHN C. MALONE, et al., Defendant(s).	Case No. 2:21-cv-00761-JAD-NJK Report and Recommendation
21 22 23 24 25 26 27 28	ELEANOR CLARE D'AMICO, Plaintiff(s), v. WALT WHITMAN SHOPS, et al., Defendant(s).	Case No. 2:21-cv-00762-JAD-NJK Report and Recommendation

1	THOMAS K. BEADLING,	Case No. 2:21-cv-00763-JAD-NJK
2	Plaintiff(s),	Report and Recommendation
3	v.	
4	JENNIFER CUTHBERT, et al.,	
5	Defendant(s).	
6	ANDY SEEMAN,	Case No. 2:21-cv-00764-JAD-NJK
7	Plaintiff(s),	Report and Recommendation
8	v.	
9	MATTHEW JOBLON, et al.,	
10	Defendant(s).	
11	ELEANOR CLAIRE D'AMICO,	Case No. 2:21-cv-00766-JAD-NJK
12	Plaintiff(s),	Report and Recommendation
13	v.	
14	COSTCO WHOLESALE, et al.,	
15	Defendant(s).	
16	ELEANOR CLAIRE D'AMICO,	Case No. 2:21-cv-00767-JAD-NJK
17	Plaintiff(s),	Report and Recommendation
18	v.	
19	THE HOME DEPOT, et al.,	
20	Defendant(s).	
21	ELEANOR CLAIRE D'AMICO,	Case No. 2:21-cv-00769-JAD-NJK
22	Plaintiff(s),	Report and Recommendation
23	v.	
24	STOP & SHOP, et al.,	
25	Defendant(s).	
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1 2 3 4 5	ELEANOR CLAIRE D'AMICO, Plaintiff(s), v. STAPLES, et al., Defendant(s).	Case No. 2:21-cv-00771-JAD-NJK Report and Recommendation
6 7 8 9 10	T.R.J., et al., Plaintiff(s), v. MR. ANDREY KRUGLYKIN, et al., Defendant(s).	Case No. 2:21-cv-00772-JAD-NJK Report and Recommendation
11 12 13 14 15	ANNE ELIZABETH FERRANTE, Plaintiff(s), v. SC INVESTMENTS LAS VEGAS INC., et al., Defendant(s).	Case No. 2:21-cv-00774-JAD-NJK Report and Recommendation
16 17 18 19 20	C.C.H., et al., Plaintiff(s), v. DELLCOR MANAGEMENT, INC., Defendant(s).	Case No. 2:21-cv-00775-JAD-NJK Report and Recommendation
21 22 23 24 25 26 27 28	JENNIFER C. MUELLER, Plaintiff(s), v. TERRY MANUEL, et al., Defendant(s).	Case No. 2:21-cv-00776-JAD-NJK Report and Recommendation

1	ANTHONY JOHN AMORELLO,	Case No. 2:21-cv-00777-JAD-NJK
2	Plaintiff(s),	Report and Recommendation
3	v.	
4	DOUGLAS A. KESSLER, et al.,	
5	Defendant(s).	
6	TRICHELE REESE,	Case No. 2:21-cv-00778-JAD-NJK
7	Plaintiff(s),	Report and Recommendation
8	v.	
9	TISHMAN SPEYER PROPERTIES, LP, et	
10	al.,	
11	Defendant(s).	
12	JOHN DONALD MESZAROS, et al.,	Case No. 2:21-cv-00779-JAD-NJK
13	Plaintiff(s),	Report and Recommendation
14	v.	
15	INTERVAL INTERNATIONAL, INC., et al.,	
16	Defendant(s).	
17	VALERIE BATCHELOR, et al.,	Case No. 2:21-cv-00780-JAD-NJK
18	Plaintiff(s),	Report and Recommendation
19	v.	
20	CHRISTOPHER J. NASSETTA, et al.,	
21	Defendant(s).	
22	CAROL A. WILLIAMS,	Case No. 2:21-cv-00781-JAD-NJK
23	Plaintiff(s),	Report and Recommendation
24	v.	
25	EXTENDED STAY OF AMERICA	
26	ATLANTA MANAGER, et al.,	
27	Defendant(s).	
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1	JOHN SMITH WILLIAMS,	Case No. 2:21-cv-00782-JAD-NJK
2	Plaintiff(s),	Report and Recommendation
3	v.	
4	MICHAEL W. BRYANT,	
5	Defendant(s).	
6	WILLIAM FREDERICK SAAR,	Case No. 2:21-cv-00783-JAD-NJK
7	Plaintiff(s),	Report and Recommendation
8	v.	
9	STEVEN B. TANGER, et al.,	
10	Defendant(s).	
11	JUDY KAY KATZ,	Case No. 2:21-cv-00784-JAD-NJK
12	Plaintiff(s),	Report and Recommendation
13	v.	
14	MOLINE POST OFFICE POSTMASTER, et	
15	al.,	
16	Defendant(s).	
17	JULIE SIKORSKY,	Case No. 2:21-cv-00785-JAD-NJK
18	Plaintiff(s),	Report and Recommendation
19	v.	
20	DAVID JEFFREY, et al.,	
21	Defendant(s).	
22	JASON CLARK,	Case No. 2:21-cv-00786-JAD-NJK
23	Plaintiff(s),	Report and Recommendation
24	v.	
25	MOTORWORLD AUTOMOTIVE GROUP,	
26	INC., et al.,	
27	Defendant(s).	
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1 JAMES MARTIN WOLF, 2 Plaintiff(s), 3 v. 4 RICHARD SOLOMONS, et al., 5 Defendant(s).	Case No. 2:21-cv-00789-JAD-NJK Report and Recommendation
6 JAN SNELL HOUSTON, 7 Plaintiff(s), 8 v. 9 WALMART SUPERCENTER MANAGER, 10 et al., 11 Defendant(s).	Case No. 2:21-cv-00790-JAD-NJK Report and Recommendation
12 JAN SNELL HOUSTON, 13 Plaintiff(s), 14 v. 15 DEKALB REGIONAL MEDICAL 16 CENTER, et al., 17 Defendant(s).	Case No. 2:21-cv-00791-JAD-NJK Report and Recommendation
18 JANET J. MCALISTER, 19 Plaintiff(s), 20 v. 21 JACK MILLER, et al., 22 Defendant(s).	Case No. 2:21-cv-00792-JAD-NJK Report and Recommendation
23 JANETTE PIRIE, 24 Plaintiff(s), 25 v. 26 DRD HOSPITALITY, INC., et al., 27 Defendant(s). 28	Case No. 2:21-cv-00793-JAD-NJK Report and Recommendation

1 JASON CLARK, 2 Plaintiff(s), 3 v. 4 JOHN LILLY, M.D., et al., 5 Defendant(s).	Case No. 2:21-cv-00794-JAD-NJK Report and Recommendation
6 JASON CLARK, 7 Plaintiff(s), 8 v. 9 PAUL J. WITT, 10 Defendant(s).	Case No. 2:21-cv-00795-JAD-NJK Report and Recommendation
11 ELEANOR CLAIRE D'AMICO, 12 Plaintiff(s), 13 v. 14 TARGET HUNTINGTON MANAGER, et 15 al., 16 Defendant(s).	Case No. 2:21-cv-00796-APG-NJK Report and Recommendation
17 ELEANOR CLAIRE D'AMICO, 18 Plaintiff(s), 19 v. 20 KETEWOMOKE YACHT CLUB, 21 Defendant(s).	Case No. 2:21-cv-00797-JAD-NJK Report and Recommendation
22 ELEANOR CLAIRE D'AMICO, 23 Plaintiff(s), 24 v. 25 TOWN OF HUNTINGTON, NY, et al., 26 Defendant(s).	Case No. 2:21-cv-00798-JAD-NJK Report and Recommendation

1 2 3 4 5	ELEANOR CLARE D'AMICO, Plaintiff(s), v. KMART STORE #9381 MANAGER, et al., Defendant(s).	Case No. 2:21-cv-00800-JAD-NJK Report and Recommendation
6 7 8 9 10	HEATHER RENEE NANCE, Plaintiff(s), v. DAVE KING, et al., Defendant(s).	Case No. 2:21-cv-00801-JAD-NJK Report and Recommendation
11 12 13 14 15	HEATHER RENEE NANCE, Plaintiff(s), v. STEPHEN P. JOYCE, et al., Defendant(s).	Case No. 2:21-cv-00802-JAD-NJK Report and Recommendation
16 17 18 19 20	DEBRA L. HUGHSON, Plaintiff(s), v. DAVID KONG, et al., Defendant(s).	Case No. 2:21-cv-00803-JAD-NJK Report and Recommendation
21 22 23 24 25 26 27 28	DENNIS J. TROCCIOLA, Plaintiff(s), v. PRC GROUP, et al., Defendant(s).	Case No. 2:21-cv-00804-JAD-NJK Report and Recommendation

1	DIANE QUACKENBUSH,	Case No. 2:21-cv-00805-JAD-NJK
2	Plaintiff(s),	Report and Recommendation
3	v.	
4	JOEY DECUFFA, et al.,	
5	Defendant(s).	
6	DOMINIC L. MAZZONE, JR.,	Case No. 2:21-cv-00806-JAD-NJK
7	Plaintiff(s),	Report and Recommendation
8	v.	
9	JANET MOLLEN, et al.,	
10	Defendant(s).	
11	ELEANOR CLAIRE D'AMICO,	Case No. 2:21-cv-00807-JAD-NJK
12	Plaintiff(s),	Report and Recommendation
13	v.	
14	KING KULLEN GENERAL MANAGER, et	
15	al.,	
16	Defendant(s).	
17	ELEANOR CLAIRE D'AMICO,	Case No. 2:21-cv-00808-JAD-NJK
18	Plaintiff(s),	Report and Recommendation
19	v.	
20	PRIME RESTAURANT MANAGER, et al.,	
21	Defendant(s).	
22	COREY ADAM HANSON,	Case No. 2:21-cv-00809-JAD-NJK
23	Plaintiff(s),	Report and Recommendation
24	v.	
25	MICHAEL BRINDSI, et al.,	
26	Defendant(s).	
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1 2 3 4 5	CHRISTINA EARHEART, Plaintiff(s), v. RICHARD SOLOMONS, Defendant(s).	Case No. 2:21-cv-00810-JAD-NJK Report and Recommendation
6 7 8 9 10	GARTH A. LEONARD, Plaintiff(s), v. U.S. POSTAL SERVICES POSTMASTER, et al., Defendant(s).	Case No. 2:21-cv-00811-JAD-NJK Report and Recommendation
11 12 13 14 15	CYNTHIA GATES, Plaintiff(s), v. WAYNE B. GOLDBERG, et al., Defendant(s).	Case No. 2:21-cv-00812-JAD-NJK Report and Recommendation
16 17 18 19 20	GINA B. WILLIAMS, Plaintiff(s), v. ALEX C. CABANAS, et al., Defendant(s).	Case No. 2:21-cv-00813-JAD-NJK Report and Recommendation
21 22 23 24 25 26 27 28	CYNTHIA GATES, Plaintiff(s), v. CARNIVAL CORPORATION & PLC, et al., Defendant(s).	Case No. 2:21-cv-00814-JAD-NJK Report and Recommendation

1	DALE AUSTIN STOPP,	Case No. 2:21-cv-00815-JAD-NJK
2	Plaintiff(s),	Report and Recommendation
3	v.	
4	ANDY FOLEY,	
5	Defendant(s).	
6	DAVID ALAN FIELDSEND,	Case No. 2:21-cv-00816-JAD-NJK
7	Plaintiff(s),	Report and Recommendation
8	v.	
9	LA QUINTA HOLDINGS, et al.,	
10	Defendant(s).	
11	DAVID J. WHITE,	Case No. 2:21-cv-00817-JAD-NJK
12	Plaintiff(s),	Report and Recommendation
13	v.	
14	MICHEL T. REYNOLDS, et al.,	
15	Defendant(s).	
16	DAVID HIGGINBOTHAM,	Case No. 2:21-cv-00818-JAD-NJK
17	Plaintiff(s),	Report and Recommendation
18	v.	
19	FEDEX CORPORATION, et al.,	
20	Defendant(s).	
21	DAVID HIGGINBOTHAM,	Case No. 2:21-cv-00819-JAD-NJK
22	Plaintiff(s),	Report and Recommendation
23	v.	
24	CAROL Z. GARRISON, et al.,	
25	Defendant(s).	
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1	DAVID HIGGINBOTHAM,	Case No. 2:21-cv-00820-JAD-NJK
2	Plaintiff(s),	Report and Recommendation
3	v.	
4	BIRMINGHAM CITY HALL, et al.,	
5	Defendant(s).	
6	KATHERINE MARY TROTTIER,	Case No. 2:21-cv-00821-JAD-NJK
7	Plaintiff(s),	Report and Recommendation
8	v.	
9	DAVID J.G. BLACKMORE, et al.,	
10	Defendant(s).	
11	KATHERINE MARY TROTTIER,	Case No. 2:21-cv-00823-JAD-NJK
12	Plaintiff(s),	Report and Recommendation
13	v.	
14	STEVE EASTERBROOK, et al.,	
15	Defendant(s).	
16	KELLY-ANN LARSON,	Case No. 2:21-cv-00824-JAD-NJK
17	Plaintiff(s),	Report and Recommendation
18	v.	
19	TRIPLE FIVE GROUP GHERMEZIAN	
20	BROTHERS,	
21	Defendant(s).	
22	KENNETH M. MERONEY,	Case No. 2:21-cv-00825-JAD-NJK
23	Plaintiff(s),	Report and Recommendation
24	v.	
25	CHRISTOPHER J. NASSETTA, et al.,	
26	Defendant(s).	
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1 KENNETH MERONY, 2 Plaintiff(s), 3 v. 4 CHRISTOPHER J. NASSETTA, et al., 5 Defendant(s).	Case No. 2:21-cv-00826-JAD-NJK Report and Recommendation
6 KRISTEN RICHMOND, 7 Plaintiff(s), 8 v. 9 VALLEY VIEW ELEMENTARY SCHOOL, 10 Defendant(s).	Case No. 2:21-cv-00827-JAD-NJK Report and Recommendation
11 LAURA BARTEL, 12 Plaintiff(s), 13 v. 14 CHOICE HOTELS INTERNATIONAL, 15 INC., et al., 16 Defendant(s).	Case No. 2:21-cv-00828-JAD-NJK Report and Recommendation
17 LAURA BARTEL, 18 Plaintiff(s), 19 v. 20 BEST WESTERN CORPORATE OFFICE AND HEADQUARTERS, et al., 21 Defendant(s).	Case No. 2:21-cv-00829-JAD-NJK Report and Recommendation
22 LAURA BARTEL, 23 Plaintiff(s), 24 v. 25 WYNDHAM WORLDWIDE 26 CORPORATION, et al., 27 Defendant(s).	Case No. 2:21-cv-00830-JAD-NJK Report and Recommendation

1	LAURA BARTEL,	Case No. 2:21-cv-00832-JAD-NJK
2	Plaintiff(s),	Report and Recommendation
3	v.	
4	LA QUINTA HOLDINGS, et al.,	
5	Defendant(s).	
6	LAURA BETA GRABER,	Case No. 2:21-cv-00833-JAD-NJK
7	Plaintiff(s),	Report and Recommendation
8	v.	
9	U.S. POSTAL SERVICES, POSTMASTER	
10	GENERAL, et al.,	
11	Defendant(s).	
12	LAURA XIRENA GONZALEZ,	Case No. 2:21-cv-00834-JAD-NJK
13	Plaintiff(s),	Report and Recommendation
14	v.	
15	DANNY GUTIERREZ, SR., et al.,	
16	Defendant(s).	
17	LAURALEE TYLER,	Case No. 2:21-cv-00836-JAD-NJK
18	Plaintiff(s),	Report and Recommendation
19	v.	
20	BEAR MOUNTAIN STATE PARK, et al.,	
21	Defendant(s).	
22	LINDA SUE WITTUM,	Case No. 2:21-cv-00838-JAD-NJK
23	Plaintiff(s),	Report and Recommendation
24	v.	
25	TRAVIS JANTZEN, et al.,	
26	Defendant(s).	
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1	LINK J. CHANEY,	Case No. 2:21-cv-00840-JAD-NJK
2	Plaintiff(s),	Report and Recommendation
3	v.	
4	JIMMY HENSON,	
5	Defendant(s).	
6	LUCRECIA PEREZ,	Case No. 2:21-cv-00841-JAD-NJK
7	Plaintiff(s),	Report and Recommendation
8	v.	
9	STUART D. GOLDSTEIN, et al.,	
10	Defendant(s).	
11	MARK ALLAN UNTERSCHER,	Case No. 2:21-cv-00842-JAD-NJK
12	Plaintiff(s),	Report and Recommendation
13	v.	
14	STEPHEN P. HOLMES, et al.,	
15	Defendant(s).	
16	MARK ALLAN UNTERSEHER,	Case No. 2:21-cv-00845-JAD-NJK
17	Plaintiff(s),	Report and Recommendation
18	v.	
19	HOLIDAY INN CLUB VACATIONS, et al.,	
20	Defendant(s).	
21	MARLA DEWALT SUMMEY,	Case No. 2:21-cv-00846-JAD-NJK
22	Plaintiff(s),	Report and Recommendation
23	v.	
24	ST. PAUL'S EPISCOPAL SCHOOL	
25	BOARD CHAIRMAN AND SCHOOL	
26	RECTOR, et al.,	
27	Defendant(s).	
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1	MARLA DEWALT SUMMEY,	Case No. 2:21-cv-00847-JAD-NJK
2	Plaintiff(s),	Report and Recommendation
3	v.	
4	TAMMY WEBB, et al.,	
5	Defendant(s).	
6	MARY BETH ENGLUND,	Case No. 2:21-cv-00849-JAD-NJK
7	Plaintiff(s),	Report and Recommendation
8	v.	
9	KARYN HUEMOELLER, et al.,	
10	Defendant(s).	
11	PATRICK CHARLES PARKER,	Case No. 2:21-cv-00850-JAD-NJK
12	Plaintiff(s),	Report and Recommendation
13	v.	
14	JOHN ADAMS, et al.,	
15	Defendant(s).	
16	PAUL ALLEN TAYLOR,	Case No. 2:21-cv-00851-JAD-NJK
17	Plaintiff(s),	Report and Recommendation
18	v.	
19	GENE IMEL, et al.,	
20	Defendant(s).	
21	MARYANNE CHRISTINA PIENTA,	Case No. 2:21-cv-00852-JAD-NJK
22	Plaintiff(s),	Report and Recommendation
23	v.	
24	ANTHONY CLARK, et al.,	
25	Defendant(s).	
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1 2 3 4 5	PAUL JAMES CAPASSO, Plaintiff(s), v. CHRIS ROUSSOS, et al., Defendant(s).	Case No. 2:21-cv-00853-JAD-NJK Report and Recommendation
6 7 8 9 10	PAULINE VICTORIA AUGHE, Plaintiff(s), v. ALBERT JEYTE, et al., Defendant(s).	Case No. 2:21-cv-00854-JAD-NJK Report and Recommendation
11 12 13 14 15	RICK SCHUSSLER, Plaintiff(s), v. STONEPINE HOA PRESIDENT, et al., Defendant(s).	Case No. 2:21-cv-00855-JAD-NJK Report and Recommendation
16 17 18 19 20	ROBERT J. GARLOW, Plaintiff(s), v. RICHARD M. BRACKEN, et al., Defendant(s).	Case No. 2:21-cv-00856-JAD-NJK Report and Recommendation
21 22 23 24 25 26 27 28	CONNIE CARR, Plaintiff(s), v. BERKLEY SOUTH CONDOMINIUM ASSOCIATION, INC., et al., Defendant(s).	Case No. 2:21-cv-00857-JAD-NJK Report and Recommendation

1	ROBERT WESLEY HENDERSON,	Case No. 2:21-cv-00858-JAD-NJK
2	Plaintiff(s),	Report and Recommendation
3	v.	
4	CRAIG M. NASH, et al.,	
5	Defendant(s).	
6	ROBIN FLYNN,	Case No. 2:21-cv-00859-JAD-NJK
7	Plaintiff(s),	Report and Recommendation
8	v.	
9	JOHN Z. KUKRAL, et al.,	
10	Defendant(s).	
11	RONALD LEE PENDLETON,	Case No. 2:21-cv-00860-JAD-NJK
12	Plaintiff(s),	Report and Recommendation
13	v.	
14	BIGLARI HOLDINGS, et al.,	
15	Defendant(s).	
16	MARY LOU MATHIS,	Case No. 2:21-cv-00861-JAD-NJK
17	Plaintiff(s),	Report and Recommendation
18	v.	
19	PAUL ALLEN, et al.,	
20	Defendant(s).	
21	MELINDA DIANE SCOTT,	Case No. 2:21-cv-00862-JAD-NJK
22	Plaintiff(s),	Report and Recommendation
23	v.	
24	ANNA LINNEY,	
25	Defendant(s).	
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1 2 3 4 5 6	ROSEMARY RAMIREZ, Plaintiff(s), v. LA CAZE DEVELOPMENT COMPANY, LLC, et al., Defendant(s).	Case No. 2:21-cv-00863-JAD-NJK Report and Recommendation
7 8 9 10 11	CHARY LYNN HELTON, Plaintiff(s), v. MICHAEL JENSEN-SILVA, et al., Defendant(s).	Case No. 2:21-cv-00864-JAD-NJK Report and Recommendation
12 13 14 15 16	MELISSA COFFEY, Plaintiff(s), v. AVA TOLUCA HILLS APARTMENTS, Defendant(s).	Case No. 2:21-cv-00865-JAD-NJK Report and Recommendation
17 18 19 20 21 22	CECIL E. BROWN, Plaintiff(s), v. BAL HARBOUR CHATEAUX CONDOMINIUM ASSOCIATION, INC., et al., Defendant(s).	Case No. 2:21-cv-00866-JAD-NJK Report and Recommendation
23 24 25 26 27 28	CONNIE S. YUNA, et al., Plaintiff(s), v. CAPITAL RESORTS OCEAN VIEW VACATION VILLAS, et al., Defendant(s).	Case No. 2:21-cv-00867-JAD-NJK Report and Recommendation

1	MICHAEL C. LUCAS,	Case No. 2:21-cv-00868-JAD-NJK
2	Plaintiff(s),	Report and Recommendation
3	v.	
4	JEFFERSON COUNTY PUBLIC LIBRARY,	
5	et al.,	
6	Defendant(s).	
7	NANCY HENDLER,	Case No. 2:21-cv-00869-JAD-NJK
8	Plaintiff(s),	Report and Recommendation
9	v.	
10	ANDREW ALEXANDER, et al.,	
11	Defendant(s).	
12	NANCY HENDLER,	Case No. 2:21-cv-00870-JAD-NJK
13	Plaintiff(s),	Report and Recommendation
14	v.	
15	WAL-MART STORES, INC., et al.,	
16	Defendant(s).	
17	MICHAEL W. PARKS,	Case No. 2:21-cv-00871-JAD-NJK
18	Plaintiff(s),	Report and Recommendation
19	v.	
20	PATRICK H. HAMILL, et al.,	
21	Defendant(s).	
22	NANCY HENDLER,	Case No. 2:21-cv-00872-JAD-NJK
23	Plaintiff(s),	Report and Recommendation
24	v.	
25	GATOR TOWN INN,	
26	Defendant(s).	
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28		

1	MISTIE CORDES RODES,	Case No. 2:21-cv-00873-JAD-NJK
2	Plaintiff(s),	Report and Recommendation
3	v.	
4	DORIS VOITIER, et al.,	
5	Defendant(s).	
6	PATRICIA BRANDON,	Case No. 2:21-cv-00874-JAD-NJK
7	Plaintiff(s),	Report and Recommendation
8	v.	
9	INTERCONTINENTAL HOTELS GROUP	
10	(IHG), et al.,	
11	Defendant(s).	
12	PATRICIA BRANDON,	Case No. 2:21-cv-00875-JAD-NJK
13	Plaintiff(s),	Report and Recommendation
14	v.	
15	SASSY HENRY, et al.,	
16	Defendant(s).	
17	MITCHELL E. NIHART SR.,	Case No. 2:21-cv-00876-JAD-NJK
18	Plaintiff(s),	Report and Recommendation
19	v.	
20	INDIANA BUREAU OF MOTOR	
21	VEHICLES, et al.,	
22	Defendant(s).	
23	SUSAN BRANDWEIN,	Case No. 2:21-cv-00877-JAD-NJK
24	Plaintiff(s),	Report and Recommendation
25	v.	
26	MEGAN J. BRENNAN, et al.,	
27	Defendant(s).	
28		

1 STEVEN WAYNE SWEDBERG, 2 Plaintiff(s), 3 v. 4 KEITH E. SMITH, et al., 5 Defendant(s).	Case No. 2:21-cv-00878-JAD-NJK Report and Recommendation
6 SHELLEY MICHELLE WRIGHT, 7 Plaintiff(s), 8 v. 9 MARK B. ROSENBERG, et al., 10 Defendant(s).	Case No. 2:21-cv-00879-JAD-NJK Report and Recommendation
11 MITCHELL J. OELLRICH, 12 Plaintiff(s), 13 v. 14 SIX FLAGS DISCOVERY KINGDOM, 15 Defendant(s).	Case No. 2:21-cv-00880-JAD-NJK Report and Recommendation
16 SHELDON L. KRESLER, et al., 17 Plaintiff(s), 18 v. 19 POMPAÑO ATLANTIS CONDOMINIUM 20 ASSOCIATION, INC., et al., 21 Defendant(s).	Case No. 2:21-cv-00881-JAD-NJK Report and Recommendation
22 SHARON L. TOWNSEND, 23 Plaintiff(s), 24 v. 25 BRUCE A. CORDINGLEY, et al., 26 Defendant(s). 27 28	Case No. 2:21-cv-00882-JAD-NJK Report and Recommendation

1 ROSEMARY SALES, 2 Plaintiff(s), 3 v. 4 BLACKSTONE GROUP, L.P., et al., 5 Defendant(s).	Case No. 2:21-cv-00883-JAD-NJK Report and Recommendation
6 MITCHELL J. OELLRICH, 7 Plaintiff(s), 8 v. 9 SILVER SMOKE AND LIQUOR STORE, 10 Defendant(s).	Case No. 2:21-cv-00884-JAD-NJK Report and Recommendation
11 SCOTT D. CHAFFEE, 12 Plaintiff(s), 13 v. 14 THE BLACKSTONE GROUP L.P., et al., 15 Defendant(s).	Case No. 2:21-cv-00886-JAD-NJK Report and Recommendation
16 STEVEN WAYNE SWEDBERG, 17 Plaintiff(s), 18 v. 19 IRWIN MOLASKY, et al., 20 Defendant(s).	Case No. 2:21-cv-00887-JAD-NJK Report and Recommendation
21 SIMONE C. DUVEN, 22 Plaintiff(s), 23 v. 24 CRAIG M. NASH, et al., 25 Defendant(s).	Case No. 2:21-cv-00888-JAD-NJK Report and Recommendation

1 JAMES MARTIN WOLF,

2 Plaintiff(s),

3 v.

4 RICHARD SOLOMONS, et al.,

5 Defendant(s).

Case No. 2:21-cv-00895-JAD-NJK

Report and Recommendation

6 This is one of 140 cases initiated by Hank Falstad, who identifies himself as an ADA
 7 architect. In its order dated May 7, 2021, the Court required Plaintiff to take action should Plaintiff
 8 wish to continue with the litigation. In particular, Plaintiff was required to file an amended
 9 complaint properly signed either by Plaintiff or by a licensed attorney. In addition, Plaintiff was
 10 required to either pay the filing fee or file an application to proceed *in forma pauperis*. The
 11 deadline for compliance was set at June 7, 2021. The Court warned that failure to comply with
 12 that order may result in dismissal of the case. To date, Plaintiff has not complied with these
 13 requirements.

14 The Federal Rules of Civil Procedure mandate that a complaint initiating a case must be
 15 signed by the plaintiff herself or by her attorney. Fed. R. Civ. P. 11(a). “The court must strike an
 16 unsigned paper unless the omission is promptly corrected after being called to the attorney’s or
 17 party’s attention.” *Id.* Moreover, initiating a federal lawsuit generally requires the payment of a
 18 filing fee. *See* 28 U.S.C. § 1914(a). To the extent a plaintiff cannot afford to pay the filing fee,
 19 she must file an application to proceed *in forma pauperis*. *See* 28 U.S.C. § 1915(a). When a
 20 plaintiff does not pay the filing fee or file an application to proceed *in forma pauperis*, the case
 21 may be dismissed. *See, e.g., Desai v. Biden*, 2021 WL 38169, at *1 (E.D. Cal. Jan. 5, 2021),
 22 *adopted*, 2021 WL 276236 (E.D. Cal. Jan. 27, 2021).

23 As noted above, there is not a properly signed complaint in this case and that defect has
 24 not been cured despite an opportunity to do so. Moreover, Plaintiff has not paid the filing fee or
 25 filed an application to proceed *in forma pauperis*.

26 The undersigned finds that dismissal without prejudice is appropriate under the
 27 circumstances. A Court may dismiss an action based on a party’s failure to prosecute her case or
 28 obey an order. *See, e.g., Ferdik v. Bonzelet*, 963 F.2d 1258, 1260–61 (9th Cir. 1992); *Malone v.*

1 *U.S. Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987); *Henderson v. Duncan*, 779 F.2d 1421,
2 1424 (9th Cir. 1986). In determining whether to dismiss an action on one of these grounds, the
3 Court must consider: (1) the public's interest in expeditious resolution of litigation; (2) the Court's
4 need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring
5 disposition of cases on their merits; and (5) the availability of less drastic alternatives. *E.g., Ferdik*,
6 963 F.2d at 1260–61.

7 These factors weigh in favor of dismissal here. The first two factors, the public's interest
8 in expeditiously resolving this litigation and the Court's interest in managing its docket, weigh in
9 favor of dismissal. The third factor, risk of prejudice to Defendants, also weighs in favor of
10 dismissal because a presumption of injury arises from the occurrence of unreasonable delay in
11 filing a pleading ordered by the court or prosecuting an action. *See Anderson v. Air West*, 542 F.2d
12 522, 524 (9th Cir. 1976). A Court's warning to a party that its failure to obey an order will result
13 in dismissal satisfies the fifth factor's "consideration of alternatives" requirement, *see, e.g., Ferdik*,
14 963 F.2d at 1262, and that warning was given here. The fourth factor, the public policy favoring
15 disposition of cases on their merits, is greatly outweighed by the factors favoring dismissal.

16 Accordingly, the undersigned **RECOMMENDS** that this case be **DISMISSED** without
17 prejudice.

18 Dated: August 3, 2021

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20 
Nancy J. Koppe
United States Magistrate Judge

21 **NOTICE**

22 This report and recommendation is submitted to the United States District Judge assigned
23 to this case pursuant to 28 U.S.C. § 636(b)(1). A party who objects to this report and
24 recommendation must file a written objection supported by points and authorities within fourteen
25 days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file
26 a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951
27 F.2d 1153, 1157 (9th Cir. 1991).
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